

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN P. MEHALIK, JR.,)	
)	
Plaintiff,)	Civil Action No. 13-485
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Cynthia Reed Eddy
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On March 20, 2014, the magistrate judge issued a Report (Doc. 14) recommending that Defendant's Motion for Summary Judgment (Doc. 12) be denied, and that Plaintiff's Motion for Summary Judgment (Doc. 10) be granted to the extent he requests a remand for further administrative proceedings. Service of the Report and Recommendation was made on the parties, and Defendant timely has filed Objections. *See* Doc. 15.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered: Defendant's Objections are **OVERRULED**¹; Defendant's Motion for Summary Judgment (**Doc. 12**) is **DENIED**; Plaintiff's Motion for Summary Judgment (**Doc. 10**) is **GRANTED**,

¹ The Court rejects Defendant's argument that the Report is inconsistent with the decision in Chandler v. Comm'r of Soc. Sec., 667 F.3d 356, 362 (3d Cir. 2011). *See* Def.'s Objs. at 4 (suggesting that Magistrate Judge would require expert opinion evidence in support of each RFC

to the extent described in the Report; this case is **REMANDED FORTHWITH** for further administrative proceedings, consistent with the Magistrate Judge's instructions; and the Magistrate Judge's Report and Recommendation dated March 20, 2014 is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

May 15, 2014

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record

finding). To the contrary, the Magistrate Judge merely determined that the ALJ had failed to adequately explain and support his decision to reject certain RFC findings of Dr. Mari-Mayans. *See* R&R at 12-13.